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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/842,984	06/13/2001	Shigenori Oosaka	Q64236	2480

7590 07/08/2005
SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, DC 20037-3213

EXAMINER

TRAN, NHAN T

ART UNIT	PAPER NUMBER
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2615

DATE MAILED: 07/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/842,984

Applicant(s)

OOSAKA ET AL.

Examiner

Nhan T. Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 6/13/2001 & 4/27/2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 46 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 46 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 09/417,364.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 1/7/02, 11/29/01, 6/13/01
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Priority

1. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed in parent Application No. 09/417,364, filed on 10/13/1999 and 07/755,475 filed on 9/5/1991.

Specification

2. The amendment to specification filed 6/13/2001 (see transmittal letter) has been entered.
3. *Upon Preliminary amendment filed 6/13/2001, the Applicant cancelled claims 1-45 and added claim 46. Accordingly, only claim 46 is pending in this application for consideration as set forth below.*

Information Disclosure Statement

4. The information disclosure statements (IDS) submitted on 1/7/2002, 11/29/2001 and 6/13/2001 are in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statements are being considered by the examiner.

Claim Objections

5. Claim 46 objected to because of the following informalities:

Claim 46 recites "A film output unit using a film cartridge main body for housing a developed continuous photo film therein a single spool rotatably provided in said film cartridge main body,..." which should include a comma in front of "a single spool." Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 46 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wash (US 4,974,096) in view of Taniguchi et al (US 5,142,310).

Regarding claim 46, Wash discloses a film image output unit (Fig. 10) using a film cartridge (film roll 100) including a film cartridge main body (body of film roll 100) for housing a developed continuous photo film therein, a single spool rotatably provided in said film cartridge main body, said single spool having one end of said photo film affixed thereto in the longitudinal direction thereof, said photo film being wound around said single spool, said film cartridge including a magnetic recording layer coated on said photo film (see col. 13, lines 25-45, wherein the film roll 100 is a 35mm film roll used in a camera as shown in Fig. 3 and the film is taken up by a reel of the film transport mechanism 1000 in the system shown in Fig. 10;

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therefore, “a single spool rotatably provided in said film cartridge main body” is inherent in Wash), and said film image output unit comprising:

film feeder including a supply part for housing said film cartridge therein and supplying said photo film from the housed cartridge and a film take-up part (1000) for taking up said photo film, said film feeder feeding said photo film between said film supply part and said film take-up part (see Fig. 10; col. 13, lines 25-45, wherein the film player has an inherent housing for loading the film roll 100 and feeding the film to the film transport mechanism in order for the film player to function as disclosed);

a reader (1020) for reading information recorded in said magnetic recording layer on said photo film (Fig. 10; col. 13, line 46 – col. 14, line 18);

image pickup (an image sensor 1006) for picking up a frame image from said photo film to output (to a display 1012) an image signal representing the picked up from image (Fig. 10; col. 13, lines 25-46);

output (a display 1012) for outputting the information read by the reader and the image signal from said image pickup so that said frame image and said information can be confirmed by a user (Fig. 10; col. 13, line 25 – col. 14, line 45).

Wash does not teach that the film cartridge includes an IC memory installed in the cartridge main body and the reader reads information recorded in the IC memory. However, as taught by Taniguchi, a film cartridge has its own IC memory installed thereon for storing information regarding film speed and other limitation data for controlling picture quality, wherein the information stored in the IC memory is read out at a photo processing shop (Fig. 10) for outputting the information on a display for the user/operator to obtain or input information in

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an easy and convenient manner (see Taniguchi, Figs. 12-18; col. 11, lines 40-56, col. 14, lines 17-21 and col. 10, lines 14-45).

Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings of Wash and Taniguchi to implement a film cartridge including both magnetic recording layer coated on photo film and an IC memory installed in the cartridge for storing all necessary photography information to control image quality, and also to implement a film image input unit for reading the information stored in both the magnetic recording layer and the IC memory so that a user/operator would recognize and edit the information on a display in an easy and convenient manner.

Conclusion


7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nhan T. Tran whose telephone number is (571) 272-7371. The examiner can normally be reached on Monday - Thursday, 8:00am - 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Ometz can be reached on (571) 272-7593. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NT.



DAVID L. OMETZ
PRIMARY EXAMINER